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March 20, 2015

VIA ELECTRONIC FILING and

VIA FAX: 267-299-5069

The Honorable Paul S. Diamond

6613 U.S. Courthouse

Philadelphia, PA 19106

FILED

MAR 20 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

RE: Marc A. Kopple, individually, and on behalf of all other similarly situate vs. AR Resources, Inc.; and Does 1 through 10, inclusive
USDC EDPA 2:14-cv-06118-PD
Our File No. 786-98387

Dear Judge Diamond,

Please be advised we represent the Defendant, AR Resources, Inc. in the above-referenced matter. We write on behalf of all parties to respectfully ask for Your Honor's consideration of a brief enlargement of time to complete fact discovery in this matter in order to help aid the parties' efforts in reaching an early resolution of this case.

As you may recall, this is a class-action lawsuit filed under the Fair Debt Collection Practices Act based on allegations that the Defendant violated 15 U.S.C. § 1692f by sending correspondence to the Plaintiff and class members with an account number visible on the face of the envelope. As the Court is aware, the Third Circuit Court of Appeals in Douglass v. Convergent Outsourcing, 765 F.3d 299 (3d Cir. Pa. Aug. 28, 2014), has recently decided that such practices violate the FDCPA.

On February 4, 2015, Your Honor entered a Scheduling Order in this matter. The Court's Order provided that all fact discovery shall be completed no later than April 6, 2015. The parties have begun exchanging initial written discovery in accordance with the Court's Order and depositions have already been tentatively scheduled, but have yet to take place.

During discovery, counsel for the parties have also been actively engaged in discussions regarding the possibility of resolving this dispute through an early settlement. Defendant has recently produced an affidavit verifying that the company's total net worth and is finalizing a calculation of the number of potential class members. It is believed, and therefore averred, that the total number of mailings, which may have violated Douglass, could exceed several thousand. The parties are in agreement that, once this information is ascertained, it is highly likely that the matter will be resolved, without the need for additional discovery, in light of the prevailing law of the Third Circuit.

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Given the above, counsel are also in agreement that, it is in the parties' best interest to temporarily suspend discovery, so that the parties may concentrate their efforts on resolving this matter by way of settlement. However, both sides are concerned whether sufficient time will be available to complete the remaining fact discovery under the current deadlines, in the event that the case does not resolve.

Accordingly, counsel would be extremely grateful if Your Honor would agree to extend the current deadline for fact discovery for 21-days, so that the parties may have the opportunity to further explore settlement without expending time and money on discovery that is likely to be unnecessary. This brief extension will not interfere with the current trial date. Assuming the Court is amenable, we have prepared a revised Scheduling Order for Your Honor's consideration.

Thank you for Your Honor's attention to this matter. Should Your Honor have any questions or concerns, the parties are available at the court's convenience for a status conference.

Respectfully submitted,

**MARKS, O'NEILL, O'BRIEN,
DOHERTY & KELLY, P.C.**

/s/Cecil J. Jones

Cecil J. Jones

Patricia Fecile-Moreland

CJJ/PFM

cc: Arkady "Eric" Rayz, Esquire *(via ECF and fax)*
Demetri A. Braynin, Esquire *(via ECF and fax)*
Gerald D. Wells, III, Esquire *(via ECF and fax)*
Robert J. Gray, Esquire *(via ECF and fax)*

Enclosure

MARKS, O'NEILL, O'BRIEN,
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From: Cecil J. Jones

Date: March 20, 2015

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